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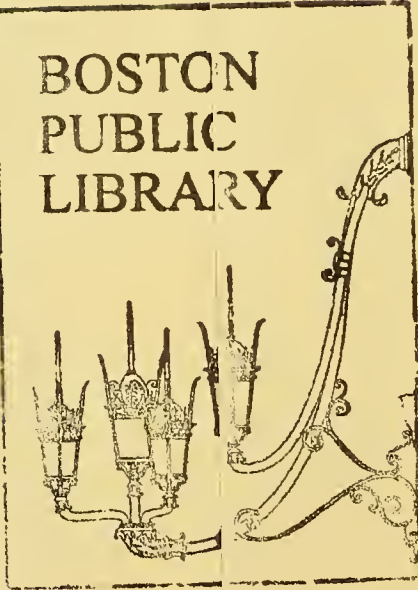
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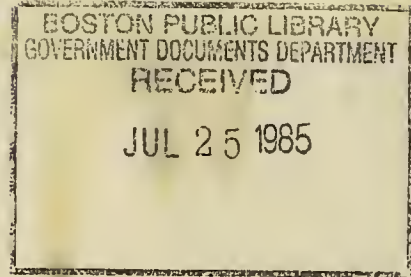
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Boston
Landmarks
Commission

19 July 1985

City Hall, Boston
Massachusetts 02201
(617) 725-3850

Dear Property Owner:

RE: SOUTH END LANDMARK DISTRICT AND HARRISON/ALBANY PROTECTION AREA established under Chapter 772 of the Acts of 1977, as amended, of the General Laws of the Commonwealth of Massachusetts.

The combined efforts of the South End District Study Committee and the Boston Landmarks Commission, aided by expressions of overwhelming support from South End residents, have led to the creation of the South End Landmark District and Harrison/Albany Protection Area.

This letter serves to notify you that the Environment Department is now equipped to begin full operation of the landmark district and protection area. Beginning Thursday, August 1, applications for Certificates of Design Approval must be filed with the Environment Department before any changes are made to exterior architectural features open to public view within the district. Work constituting ordinary maintenance or repair involving no change in material or appearance shall not be subject to review. All applications will be reviewed at regularly scheduled monthly public hearings at City Hall before a five-member district commission.

Enclosed with this letter is a brochure describing the standards and criteria for reviewing residential architectural changes within the South End Landmark District. Non-residential and protection area guidelines, as well as application forms for Certificates of Design Approval (and fee sheets), are available from the following three locations: Boston Public Library, South End branch, 685 Tremont Street; Harriet Tubman House, 566 Columbus Avenue; and City of Boston, Environment Department, Room 805, City Hall.

For your interest, a question and answer format describing the district has been printed on the reverse side of this letter. Please contact Stephen Jerome of this office if you have questions about the district or the application procedures.

Sincerely,

Judith B. McDonough

Judith B. McDonough
Executive Secretary
Boston Landmarks Commission

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QUESTIONS AND ANSWERS ABOUT LANDMARK DISTRICTS

WHAT DOES DESIGNATION OF A LANDMARK DISTRICT MEAN TO A PROPERTY OWNER?

It means that any future physical change to the exterior of the building (visible from a public way only) must be approved in advance by a specially created district commission with local representation. This design review process is intended to give neighbors and other interested persons a chance to comment on proposed changes at a public hearing, and if necessary to require changes in proposed plans for a building in a district.

WHAT IS A LANDMARK DISTRICT?

According to Chapter 772 of the Acts of 1975, the law that created the Boston Landmarks Commission, a Landmark District is: an area containing any physical features or improvements or both which are of historical, social, cultural, architectural or aesthetic significance to the city and the commonwealth, the New England region or the nation and cause such an area to constitute a distinctive section of the city.

A district must be designated by two-thirds of the Landmarks Commission and approved by the Mayor and City Council.

WHAT IS A PROTECTION AREA?

A protection area is contiguous to a landmark district and constitutes an essential part of the physical environment of the district. The regulatory standards in a protection area apply only to demolition, land coverage, and building heights.

WHY WOULD RESIDENTS WANT THEIR NEIGHBORHOOD TO BE A LANDMARK DISTRICT?

Among the reasons for someone to buy a house or property in a particular neighborhood is its appearance and its historic character. The design review process that comes with district designation is the only available means to protect everyone's neighborhood from an assortment of intrusions and changes that would disturb the neighborhoods's visual and historic character.

Existing codes, such as those for zoning and building, do not address the matter of appearance. Zoning governs the use of a structure, and building codes govern safety.

WHAT KINDS OF CHANGES DOES THE DISTRICT COMMISSION REVIEW?

Only those elements that are covered in the Standards and Criteria adopted at the time of designation. Certain elements of a building's exterior appearance -- paint color, for instance -- can be exempt from review.

HOW LONG DOES IT TAKE FOR A DECISION ON AN APPLICATION FOR DESIGN REVIEW?

The district commission has 30 days from the time of the application to act on any proposal.

ARE THE DESIGN STANDARDS AND CRITERIA IN A DISTRICT RETROACTIVE?

No. A district is designated as is, including building and architectural features that are not in compliance with the new standards and criteria. As in a grandfather clause: everything can remain as long as it is maintained.

WILL AN OWNER BE FORCED TO RESTORE THE HOUSE IN THE DISTRICT?

No. The District Commission only reviews changes proposed by the owner of the property. It can require an owner to modify plans he or she has proposed to meet District standards and criteria. But an owner who is not proposing any changes cannot be required to make any.

ARE THERE ANY RESTRICTIONS ON BUYING OR SELLING PROPERTY IN A LANDMARK DISTRICT?

No. An owner can sell to whom he or she pleases. To be sure that buyers know that property is in a district, the Commission is required to list all designated properties at the Registry of Deeds.

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